

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-07 INR-07 LAB-04

SIL-01 PM-04 H-02 L-03 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 /071 W

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R 251435Z AUG 75

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 502

INFO AMCONSUL ADANA

AMCONSUL ISTANBUL

AMCONSUL IZMIR

SECDEF WASHDC

DIRNSA WASHDC

USDOCOSOUTH NAPLES

CINCUSNAVEUR LONDON

USDOCOLANDSOUTHEAST IZMIR

USCINCEUR

CINCUSAFE

USNMR SHAPE

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E.O. 11652: N/A

TAGS: ELAB, TU

SUBJ: NATION-WIDE STRIKE BY DEFENSE WORKERS UNION AT  
US WORKSITES AVERTED: ISSUE WAS SEVERANCE PAY

SUMMARY: UNION HAD CALLED STRIKE FOR 0600 HOURS AUGUST 22  
TO PROTEST AMOUNT OF SEVERANCE PAY BEING PAID FOR FIRST TIME  
TO TURKISH WORKERS UNDER NEW SEVERANCE PAY LAW. IT DECREASED  
CEILING AGREED IN COLLECTIVE LABOR AGREEMENT OF MAY 29.  
EMBASSY MEDIATION RESULTED IN 72-HOUR POSTPONEMENT OF STRIKE  
UNTIL 0600 HOURS AUGUST 25. PARTIES MET AT EMBASSY FOR  
SEVEN HOURS ON AUGUST 23, WHEN DIFFERENCES WERE IRONED OUT  
PENDING DEFINITE LEGAL CLARIFICATION OF VERY AMBIGUOUS LAW.  
END SUMMARY.

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1. REPUBLICAN PEOPLES PARTY (RPP) MEMBER OF PARLIAMENT, KENAN DURUKAN, PRESIDENT OF DEFENSE WORKERS UNION CALLED EMBOFF LATE ON AUGUST 21 TO STATE THAT ALL LOCAL UNIONS AT ALL US WORKSITES HAD BEEN NOTIFIED TO COMMENCE WALKOUT AT 0600 HOURS ON AUGUST 22 TO PROTEST ALLEGED SHORTAGES IN PAYMENTS TO SOME TURKISH WORKERS ON TERMINATION OF THEIR EMPLOYMENT.

COMMENT: LAW IS ADMITTEDLY AMBIGUOUS, REFERRING TO ONE PARAGRAPH TO 30 DAYS OF SEVERANCE PAY AND TO A CEILING OF TL 9,000 (\$1.00 EQUALS TL 14.50) FOR EACH YEAR WORKED. HOWEVER, A FOLLOWING PARAGRAPH STIPULATED THAT ADDITIONAL DAYS ARE PERMISSIBLE IF CONTAINED IN A PERSONNEL OR COLLECTIVE CONTRACT. DURUKAN WAS A MEMBER OF THE PARLIAMENTARY COMMITTEE WHICH SENT THE BILL TO THE ASSEMBLY FLOOR AND HAS INSISTED ALL ALONG THAT THE LAW INTENDED THAT PAYMENT ALSO BE MADE FOR ADDITIONAL DAYS AGREED UPON IN COLLECTIVE CONTRACT AND ON BASIS OF COMPUTATIONS STIPULATED IN EARLIER PARAGRAPH (TL 300 PER DAY).

2. PARTIES MET AT EMBASSY ON SHORT NOTICE WHERE AFTER HOURS OF DISCUSSION DURUKAN AGREED TO CALL OFF STRIKE FOR AN EFFECTIVE 72 HOURS; HE HAD DIFFICULT TIME IN PERSUADING HIS LOCAL UNION OFFICIALS TO GO ALONG WITH HIM. THIS 72-HOUR DELAY PERMITTED PARTIES FURTHER TIME TO PROBE ISSUE AND IN SEVEN-HOUR FRIENDLY SESSION ON AUGUST 23 THEY AGREED THAT BECAUSE OF LACK OF PRECISION IN LAW AND UNTIL GREATER CLARIFICATION IS BROUGHT TO LAW THROUGH JUDICIAL AND/OR LEGISLATIVE PROCESSES SEVERANCE PAY WOULD BE INCREASED BY TL 300 PER DAY ONLY FOR EACH DAY ABOVE 30 PROVIDED FOR IN THE COLLECTIVE AGREEMENT.

COMMENT: HAD STRIKE TAKEN PLACE, IT PROBABLY WOULD HAVE BEEN ILLEGAL. US SIDE READILY RECOGNIZED THAT MAY COLLECTIVE CONTRACT ON SEVERANCE PAY WAS MUCH MORE GENEROUS THAN THE LAW WITH RESPECT TO CEILINGS AND NUMBER OF DAYS, AND WAS PREPARED TO PAY ON THAT BASIS, EXCEPT THAT THE LAW DID SET SOME KIND OF CEILING. UNFORTUNATELY, THIS IS A TEST CASE, FOR THERE ARE NO REPEAT NO DECISIONS OR ESTABLISHED PRACTICES AS YET, AND THE DEFENSE WORKERS UNION UNDERSTANDS THAT WHEN AND IF LEGAL DETERMINATIONS SET A BINDING CEILING BOTH PARTIES WILL HAVE TO ABIDE BY IT. EMBOFF AND OTHERS CONCERNED BELIEVE NO REPEAT NO LEGAL CLARITY WILL BE BROUGHT TO MATTER FOR SOME TIME.

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## Message Attributes

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**TAGS:** ELAB, TU, (DURUKAN, KENAN)  
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